

## Information Sharing and Confidentiality Policy

### Statement of Intent

The YMCA Brunel Group has a responsibility to obtain and keep records about the children that it cares for. It must share information about the child with parents and carers, other professionals working with the child, the police, social services and Ofsted as appropriate and in accordance with laws and guidance. This ensures the safe and efficient management of the childcare setting and that the needs of all the children are met.

It is our intention to respect the privacy of children and their parents and carers, while ensuring that the children access high quality early years provision. and out of school care. We follow the Government Information Sharing Protocol and we are also compliant under GDPR and Data Protection laws. We explain this in our detailed Privacy Statement which parents and staff sign when they join us.

### Aim

We aim to ensure that all parents and carers can share their information with the confidence that it will only be used to enhance the welfare of their children or as a legal protection for the child.

### Methods

We keep two main kinds of records on children attending:

#### 1. **Developmental records** (our early years settings)

These include observations of children in the setting, samples of their work, summary developmental reports and records of achievement.

Written developmental records or the Tapestry On-Line Learning Journal can be accessed, and contributed to, by staff, the child, and the child's parents and any other family member the child's parent authorises access to and by any other setting the child attends.

The Early Years Foundation Stage Forum which administers the On-Line Learning Journey, ensures data is securely stored and that precautions have been made to ensure servers are safe from both physical and cyber based attacks. Some examples of this are; the positioning of their servers in a high security data centre within the UK, as well as regular backups to a separate but equally secure location; separate databases for each Tapestry account; hack resistant coding; and encoded file names for uploaded media.

We are very aware of the safeguarding of children implications for this system, and we are reliant upon the trust of parents and other family members not to share any of the images from the Learning Journey on any other e-system or social networking site. We ask that parents sign a disclosure, where we ask that no images are shared and also stress the importance of this being so for other family members who are authorised users. It is the parental responsibility to ensure that other family members are aware of this requirement.

#### 2. **Personal Records**

These include, for example but not limited to, registration and admission forms, accident and incident forms, signed consents, and correspondence concerning the child or family, reports or minutes from meetings concerning the child from other agencies, an on-going record of relevant contact with parents, and observations by staff on any confidential matter involving the child, such as developmental concerns or child protection matters.

The childcare setting records the following information for every child in their care: full name; date of birth; name and address of every parent and/or carer who is known to the setting and information about any other

person who has parental responsibility for the child; which parent(s) and/or carer(s) the child normally lives with; and emergency contact details for parents and/or carers.

These confidential records are stored in a lockable cabinet and are kept securely by the manager in the office area. There are electronic records stored on our devices. All devices are password protected.

Parents have access, in accordance with the access to records procedure, to the files and records of their own children but do not have access to information about any other child.

Staff will not discuss personal information given by parents with other members of staff, except where it is necessary for planning for the child's needs. Staff induction includes an awareness of the importance of confidentiality in the role of the key person and as a nursery practitioner. Consent is always sought to discuss information with the Local Authority, outside agencies and other professionals working with the child.

### **3. Other Records**

Records concerning the employment of staff, whether paid or unpaid, remain confidential to the people directly involved with Human Resources or pay roll.

Students on placements working towards recognised qualifications are advised of our confidentiality policy and required to respect it as they may overhear or be aware of confidences when they are with us.

The legal framework for this work is:

#### **Primary Legislation**

General Data Protection Regulations (GDPR) 2018

Data Protection Act (DPA) 2018

Freedom of Information Act 2014

The GDPR requires every data controller who is processing personal information to register with the Information Commissioner's Office, unless they are exempt. The registration number for Bath YMCA is Z6977485 and this is renewed annually.

#### **Guidance**

HM Government Information Sharing Guidance 2018

#### **Access to Personal Records**

Parents may request access to any records held on their child and family following the procedure below:

- Any request to see the child's personal files by a parent or person with parental responsibility must be made in writing to senior leaders
- The setting commits to providing access to material within 14 days - although this may be extended.
- Head office and the Director of Children's Services prepare the file for viewing with appropriate redaction if necessary
- All third parties are written to, stating that a request for disclosure has been received and asking for their permission to disclose to the person requesting it.
- This may include any other agency, including social services, the health authority, etc.
- When all the consents/refusals to disclose have been received these are attached to the copy of the request letter.
- Legal advice may be sought at any time.

#### **Final statement about when information will be shared without consent.**

All the undertakings above are subject to the paramount commitment of the setting, which is to the safety and well-being of the child. However, all practitioners at YMCA Brunel Group will share information with the MASH Team (Multi-Agency Safeguarding Hub) if there is considered to be a safeguarding issue. This may be done without parental or carer consent, if it is felt that such consent would put the child at greater risk and this is our legal duty. It may also be carried out if we consider that the development and progress of the child is impeded by the delay or failure of the parent to give consent for SEN assessments. Our first concern will always be for the welfare of the child.



Even when we do not have consent to share confidential information, we may lawfully share if this can be justified to be in the public interest. Where consent cannot be obtained or is refused, or where seeking it may cause individuals to be at risk if significant harm, we may still share information without consent, when in our judgements on the facts of the case, the lack of consent can be overridden in the public interest.

Please see also our policy on safeguarding children for cross-referencing purposes.

All other policies relating to YMCA Brunel Group are available for you to read at the childcare setting or on our web site.

**Signed on behalf of YMCA Brunel Group**  
(original signed copy held at registered office)



Mike Fairbeard

**Role of Signatory**

Chief Executive

**Date of Review of Policy**

Jan 2025

